



RECEIVED NO.: ISPA-3292

PATENT

AF 6600
12-23-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
DEC 26 2002

In Re Application of:

Peter E. Nielsen; Liam Good

Serial No.: 09/486,623

Filing Date: July 6, 2000

For: PEPTIDE NUCLEIC ACIDS HAVING ANTIBACTERIAL ACTIVITY

Confirmation No.: 9879

Group Art Unit: 1631

Examiner: Ardin Marschel

TECH CENTER 1600/2900

#15

PLUNKET

12/6/02

EXPRESS MAIL LABEL NO: EL827225137US
DATE OF DEPOSIT: December 20, 2002

EL827225137US

BOX AF

Assistant Commissioner for Patents
Washington DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **July 1, 2002** finally rejecting claims **23, 25-28, 55 and 56** of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - an Independent Inventor
 - a Small Business Concern
 - a Nonprofit Organization

01/07/2003 TPLUNKET 00000003 233050 09486623

01 FC:1253 920.00 CH

12/24/2002 AWONDAF1 00000102 09486623

01 FC:1401

320.00 DP

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 § CFR 1.17(a)(1)-(4)) for the total number of months checked below:

| | | SMALL ENTITY | | NOT SMALL ENTITY | |
|-------------------------------------|-------------------------------------|--------------|-------|------------------|----------|
| | | RATE | Fee | RATE | Fee |
| <input type="checkbox"/> | ONE MONTH EXTENSION OF TIME | \$55 | \$ | \$110 | \$ |
| <input type="checkbox"/> | TWO MONTH EXTENSION OF TIME | \$200 | \$ | \$400 | \$ |
| <input checked="" type="checkbox"/> | THREE MONTH EXTENSION OF TIME | \$460 | \$ | \$920 | \$ |
| <input type="checkbox"/> | FOUR MONTH EXTENSION OF TIME | \$720 | \$ | \$1440 | \$ |
| <input type="checkbox"/> | FIVE MONTH EXTENSION OF TIME | \$980 | \$ | \$1960 | \$ |
| <input type="checkbox"/> | LESS ANY EXTENSION FEE ALREADY PAID | minus | (\$) | minus | (\$) |
| <input checked="" type="checkbox"/> | NOTICE OF APPEAL | \$160 | \$ | \$320 | \$320.00 |
| TOTAL FEE DUE | | | \$0 | | \$320.00 |

3. FEE PAYMENT

- A check in the amount of \$320.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- Please charge my Deposit Account No. 23-3050 in the amount of \$ ____ .00. This sheet is attached in duplicate.
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application.

The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

Date: December 20, 2002

John A. Harrelson, Jr.

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